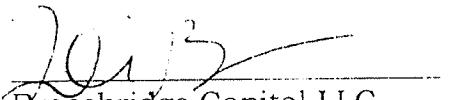


IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

ERIC RICHARDS, )  
Plaintiff, )  
vs. ) Civil Action No. 05-10002-RCL  
BRACEBRIDGE CAPITAL LLC and )  
JAMES DIBIASE, )  
Defendants. )

**CERTIFICATION**

Pursuant to Local Rule 16.1(D)(3), the undersigned hereby certify and affirm that they have conferred with a view to establishing a budget for the costs of conducting the full course, and various alternative courses, of the above litigation and to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

  
Bracebridge Capital LLC  
By: James DiBiase,  
Chief Operating Officer

  
James DiBiase

Dated: April 13, 2005

  
Mark W. Batten, BBO #566211  
PROSKAUER ROSE LLP  
One International Place  
Boston, MA 02110  
(617) 526-9850